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7 MANUEL CABRERRA

FILED

8 JUN -8 PM 3:56
9 FEDERAL DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,

)

9 Case no. CV 07-6353 BZ

10 Plaintiff,

)

)

11 vs.

)

12 1. \$75,511 IN UNITED STATES) ANSWER TO COMPLAINT
13 CURRENCY) FOR FORFEITURE

)

)

15 Defendant.

)

)

16 MANUEL CABRERRA,

)

)

18 Claimant.

)

)

19 ANSWER TO COMPLAINT FOR FORFEITURE

21 Comes now Claimant and respectfully alleges:

22 I

23 Claimant denies the allegation set forth in Paragraph 1.

25 II

26 Claimant admits the allegation set forth in Paragraph 2.

1 III
2

3 Claimant admits the allegation set forth in Paragraph 3, insofar as it asserts that
4 defendant property was seized by law enforcement officials and that the United States of
5 America is the Plaintiff. Claimant denies any implied allegation that the property is subject
6 to forfeiture.

7 IV
8

9 Claimant denies the allegations set forth in Paragraph 4.

10 V
11

12 Claimant denies the allegation set forth in Paragraph 5.

13 VI
14

15 Claimant denies the allegations set forth in Paragraph 6.

16 VII
17

18 Claimant denies the allegations set forth in Paragraph 7.

19 VIII
20

21 Claimant denies the allegations set forth in Paragraph 8.

22 IX.
23

24 Claimant denies the allegations set forth in Paragraph 9.

25 X.
26

27 Claimant denies the allegations set forth in Paragraph 10.

1 XI.

2 Claimant denies the allegations set forth in Paragraph 11.

3 XII.

4 Claimant denies the allegations set forth in Paragraph 12.

5 XIII.

6 Claimant denies the allegations set forth in Paragraph 13.

7 XIV.

8 Claimant denies the allegations set forth in Paragraph 14.

9 XV.

10 Claimant denies the allegations set forth in Paragraph 15.

11 XVI.

12 Claimant denies the allegations set forth in Paragraph 16.

13 XVII.

14 Claimant denies the allegations set forth in Paragraph 17.

15 XVIII

16 Claimant admits the statement of law set forth in Paragraph 18, but denies its
17 applicability to defendant property.

18 XIX

20 Claimant denies the allegations set forth in paragraph 19.

1 XX
2

3 By way of defense Claimant respectfully alleges:

4 That defendant property is not subject to forfeiture and was does not represent
5 moneys furnished or intended to be furnished to another person in exchange for a controlled
6 substance, constituting proceeds from such an exchange, and was used or intended to be
7 used to facilitate an offence in violation of Title 21, United States Code section 841(a) or
8 any other section of the United States Code.

9
10 Plaintiff's possession and control of respondent property was accomplished in
11 violation of the laws of the United States and the State of California.

12 WHEREFORE, Defendant respectfully prays that the above named property not be
13 forfeited to the United States of America;

14
15 That the defendant property be returned to the Claimant forthwith;
16 That the Court award Claimant reasonable costs and attorney fees;
17
18 That the Court grant such other and further relief that the court may deem just and
19 proper.

20 Dated: 1-7-08

21
22 Respectfully submitted,

23
24 
JESSE J. GARCIA
25 Attorney for Claimant
26
27
28 MANUEL CABRERRA

1 GARCIA, SCHNAYERSON & THOMPSON
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5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
7 UNITED STATES OF AMERICA,)
8) CV 07-6353 BZ
9 Plaintiff,)
vs.)
10)
11 1. \$75,511 IN UNITED STATES) CERTIFICATE OF SERVICE
12 CURRENCY)
13)
14 Defendants.)
15 MANUEL CABRERRA,)
16)
17 Claimant.)
18 _____

19 The undersigned hereby certifies that a copy of the
20 foregoing:

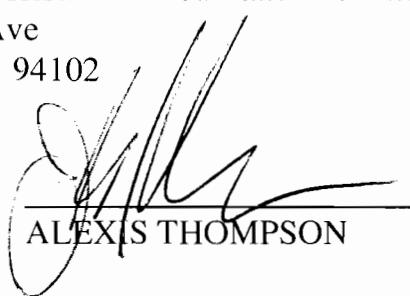
21 ANSWER TO COMPLAINT

22 was hand delivered on January 8, 2008, to the attorney for the plaintiff as

23 follows:

24 Stephanie Hinds, Assistant United States Attorney
450 Golden Gate Ave
25 San Francisco, Ca. 94102

26 Dated: 1/8/08


27 ALEXIS THOMPSON
28